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WILLIAM VANDERKAM
and J. E. T. DODD, *Journal of
Present Day Problems* (London, 1919).

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|---------------------|---------------------|
| EXAMINER | |
| RECEIVED | |
| ART UNIT | PAPER NUMBER |
| 5000 | 2 |
| DATE MAILED: | |

This is a communication from the examiner in charge of your application.

COMMISSIONER OF PATENTS AND TRADEMARKS

This application has been examined Responsive to communication filed on _____ This action is made final.

A shortened statutory period for response to this action is set to expire 3 month(s), 0 days from the date of this letter. Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133

Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:

1. Notice of References Cited by Examiner, PTO-892. ✓

2. Notice re Patent Drawing, PTO-948.

3. Notice of Art Cited by Applicant, PTO-1449

4. Notice of Informal Patent Application, Form PTO-152

5. Information on How to Effect Drawing Changes, PTO-1474

6. _____

Part II SUMMARY OF ACTION

1. Claims 1-25 are pending in the application.

2. Claims _____ have been cancelled.

3. Claims _____ are allowed.

4. Claims 4, 7, 9, 10, 15, 17-19, 22-25 are rejected.

5. Claims _____ are objected to.

6. Claims _____ are subject to restriction or election requirement.

7. This application has been filed with informal drawings which are acceptable for examination purposes until such time as allowable subject matter is indicated.

8. Allowable subject matter having been indicated, formal drawings are required in response to this Office action.

9. The corrected or substitute drawings have been received on _____. These drawings are acceptable; not acceptable (see explanation).

10. The proposed drawing correction and/or the proposed additional or substitute sheet(s) of drawings, filed on _____ has (have) been approved by the examiner. disapproved by the examiner (see explanation).

11. The proposed drawing correction, filed _____, has been approved. disapproved (see explanation). However, the Patent and Trademark Office no longer makes drawing changes. It is now applicant's responsibility to ensure that the drawings are corrected. Corrections MUST be effected in accordance with the instructions set forth on the attached letter "INFORMATION ON HOW TO EFFECT DRAWING CHANGES", PTO-1474.

12. Acknowledgment is made of the claim for priority under 35 U.S.C. 119. The certified copy has been received not been received been filed in parent application, serial no. _____; filed on _____

13. Since this application appears to be in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213.

14. Other _____

32

1. Restriction to one of the following inventions is required under 35 U.S.C. 121:

I. Claims 1, 5, 6, 8, 11-14, 16, 20, and 21 are drawn to a matrix printer, classified in Class 101, subclass 401.5.

II. Claims 2, 7, 15, 17, 22, and 25 are, drawn to laser printer, classified in Class 346, subclass 108L.

III. Claims 3, 9, 18, and 23 are, drawn to ink jet printer, classified in Class 346, subclass 75.

IV. Claims 4, 10, 19, and 24 are, drawn to thermal printer, classified in Class 346, subclass 76PH.

2. The inventions are separate and distinct, each from the other because of the following reasons:

Dot matrix printing is a recognized division of impact printing. Laser, ink jet and thermal printing are all recognized divisions of recording in Class 346.

3. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.

4. Applicant is advised that the response to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed.

5. During a telephone conversation with Peter Vrahotes on June 8, 1983 a provisional election was made without traverse to prosecute the invention of Group I, claims 1, 5, 6, 8, 11-14, 16, 20 and 21. Affirmation of this election must be made by applicant in responding to this Office action.

Claims 2-4, 7, 9, 10, 15, 17, 18, 19, and 22-24 are withdrawn from further consideration by the Examiner, 37 CFR 1.142(b) as being drawn to a non-elected invention.

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

7. Claims 1, 5, 6, 8, 11-14, 16, 20, and 21 are rejected under 35 U.S.C. 102(a) as being clearly anticipated by Bergeron.

Miller/lg

703-557-2911

6/16/83



GEORGE H. MILLER, JR.

EXAMINER

GROUP ART UNIT 216